

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	Examiner: Moss, Keri A.
Dr. Walter Schubert)	
)	
Serial No.: 10/686,865)	Confirmation No. 7435
)	
Filed: October 16, 2003)	Art Unit: 1797
)	
For: METHOD AND DEVICE FOR)	Attorney Docket No.: S159 1030.1
PREPARING BIOLOGICAL)	
SAMPLES FOR ANALYSIS)	

2nd Information Disclosure Statement

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

Applicant requests that the Examiner initial and return a copy of the enclosed Forms PTO/SB/08A and PTO/SB/08B to indicate in the official file wrapper that each item has been considered.

The following summarizes the status of copies of listed information provided with the instant Information Disclosure Statement:

- copies of Items FP3-FP6 and NPL1-NPL5 are attached hereto;

Notice under MPEP 2001.06(b) – Related Co-pending U.S. Applications

Applicants also request that the Examiner review the below-listed patent applications, and refer to prosecution of same throughout prosecution of the present application.

- U.S. Patent Application No. 10/129,316, U.S. National Phase based on PCT/EP01/10075, International Filing Date August 31, 2001
- U.S. Patent Application No. 12/282,687, U.S. National Phase based on PCT/EP07/002418, International Filing Date March 19, 2007
- U.S. Patent Application No. 11/909,357, U.S. National Phase based on PCT/EP06/002569, International Filing Date March 21, 2006
- U.S. Patent Application No. 11/411,522, Filing Date April 26, 2006

- U.S. Patent Application No. 11/411,254, Filing Date April 26, 2006
- U.S. Patent Application No. 12/282,022, U.S. National Phase based on
PCT/EP07/002087, International Filing Date March 9, 2007

Applicant has included with this Information Disclosure Statement one or more, partial or complete, English translations of cited, non-English language documents. The translations may or may not have been created by or at the request of Applicant and have been provided in good faith; however, Applicant does not concede to or warrant the accuracy or completeness of any translations, and, rather, reserves the right to challenge all translations on any grounds during the present or any future proceedings of any nature.

Applicant reserves the right to establish the patentability of the claimed invention over any of the cited information and/or to prove that any purported teaching of the cited information is not enabled. Applicant also reserves the right to assert that the cited information is not available as a reference, is not prior art, and/or is not “material” to patentability. Applicant further reserves the right to assert that this citation of information does not constitute an admission of priority and/or does not constitute a waiver of any right Applicant may have under applicable statutes, Rules of Practice in patent cases, or otherwise.

This citation of information should not be construed as an admission that Applicant has an obligation to provide this information in the present application or as a representation that an exhaustive search has been made, that the information disclosed is material, that the information disclosed is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102, or that information more material to the examination of this Application does not exist. The order of presentation of information on the attached Form(s) SB/08 should not be construed as an indication of importance of the references. Applicant requests that the Examiner conduct an independent and thorough search and examination of all pertinent art, and consider completely the information disclosed hereby, along with any other information, in reaching a determination of patentability.

In accordance with 37 CFR 1.97(c) and 1.17(p), Applicant authorizes the Commissioner to charge \$180.00 to our Deposit Account No. 09-0528 representing the filing fee for filing this Information Disclosure Statement.

The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to account no. 09-0528.

Respectfully submitted,



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Date: 6 May 2009

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Docket No.: **S159 1030.1**